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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/46/721/Add.1 and Corr.1)]

46/137. Enhancing the effectiveness of the principle of periodic and genuine elections

The General Assembly,

Recalling its resolutions 44/146 of 15 December 1989 and 45/150 of 18 December 1990, as well as Commission on Human Rights resolution 1989/51 of 7 March 1989, 1/

Having considered the report of the Secretary-General, 2/

Aware of its obligations under the Charter of the United Nations to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and to promote and encourage respect for human rights and fundamental freedoms for all,

Reaffirming the Universal Declaration of Human Rights, 3/ which provides that everyone has the right to take part in the government of his or her country, directly or through freely chosen representatives, that everyone has the right of equal access to public service in his or her country, that the will of the people shall be the basis of the authority of government and that this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures,

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1/ See Official Records of the Economic and Social Council, 1989, Supplement No. 2 (E/1989/20), chap. II, sect. A.

2/ A/46/609 and Corr.1 and Add.1 and 2.

3/ Resolution 217 A (III).

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Noting that the International Covenant on Civil and Political Rights 4/ provides that every citizen shall have the right and the opportunity, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, to take part in the conduct of public affairs, directly or through freely chosen representatives, to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors, and to have access, on general terms of equality, to public service in his or her country,

Condemning the system of apartheid and any other denial or abridgement of the right to vote on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling that, under the Charter, all States enjoy sovereign equality and that each State, in accordance with the will of its people, has the right freely to choose and develop its political, social, economic and cultural systems,

Recognizing that there is no single political system or electoral method that is equally suited to all nations and their people and that the efforts of the international community to enhance the effectiveness of the principle of periodic and genuine elections should not call into question each State's sovereign right, in accordance with the will of its people, freely to choose and develop its political, social, economic and cultural systems, whether or not they conform to the preferences of other States,

Noting with appreciation the advisory services and technical assistance provided by the Centre for Human Rights of the Secretariat as well as the technical assistance provided by the Department of Technical Cooperation for Development of the Secretariat and the United Nations Development Programme to some Member States, including those in transition to democracy, at their request, and inviting those bodies to continue and intensify these efforts as requested,

Noting the electoral assistance provided to Member States at their request by the Organization,

Affirming that electoral verification by the United Nations should remain an exceptional activity of the Organization to be undertaken in well-defined circumstances, primarily in situations with a clear international dimension,

Taking note of the criteria contained in paragraph 79 of the report of the Secretary-General 5/ which ought to be met before the Organization agrees to requests for electoral verification,

1. Takes note with appreciation of the report of the Secretary-General;

4/ See resolution 2200 A (XXI), annex.

5/ See A/46/609 and Corr.1.

2. Underscores the significance of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, which establish that the authority to govern shall be based on the will of the people, as expressed in periodic and genuine elections;

3. Stresses its conviction that periodic and genuine elections are a necessary and indispensable element of sustained efforts to protect the rights and interests of the governed and that, as a matter of practical experience, the right of everyone to take part in the government of his or her country is a crucial factor in the effective enjoyment by all of a wide range of other human rights and fundamental freedoms, embracing political, economic, social and cultural rights;

4. Declares that determining the will of the people requires an electoral process that provides an equal opportunity for all citizens to become candidates and put forward their political views, individually and in cooperation with others, as provided in national constitutions and laws;

5. Underscores the duty of each Member State, in accordance with the provisions of the Charter of the United Nations, to respect the decisions taken by other States, in accordance with the will of their people, in freely choosing and developing their electoral institutions;

6. Reaffirms that apartheid must be abolished, that the systematic denial or abridgement of the right to vote on the grounds of race or colour is a gross violation of human rights and an affront to the conscience and dignity of mankind, and that the right to participate in a political system based on common and equal citizenship and universal franchise is essential for the exercise of the principle of periodic and genuine elections;

7. Affirms the value of the electoral assistance that the United Nations has provided at the request of some Member States, in the context of full respect for their sovereignty;

8. Believes that the international community should continue to give serious consideration to ways in which the United Nations can respond to the requests of Member States as they seek to promote and strengthen their electoral institutions and procedures;

9. Endorses the view of the Secretary-General that he should designate a senior official in the Offices of the Secretary-General to act as a focal point, in addition to existing duties and in order to ensure consistency in the handling of requests of Member States organizing elections, who would assist the Secretary-General to coordinate and consider requests for electoral verification and to channel requests for electoral assistance to the appropriate office or programme, to ensure careful consideration of requests for electoral verification, to build on experience gained to develop an institutional memory, to develop and maintain a roster of international experts who could provide technical assistance as well as assist in the verification of electoral processes and to maintain contact with regional and other intergovernmental organizations to ensure appropriate working arrangements with them and the avoidance of duplication of efforts, and requests the Secretary-General to designate such an official to take on these tasks;

10. Determines that the designation of the senior official would neither pre-empt nor supersede ongoing arrangements regarding electoral assistance nor prejudice the operational arrangements for missions that the Organization may decide to undertake;

11. Requests the Secretary-General to allocate whenever appropriate, and within existing resources, a small number of staff and other resources to support the designated senior official in carrying out his or her functions;

12. Commends the Centre for Human Rights of the Secretariat as well as the Department of Technical Cooperation for Development of the Secretariat and the United Nations Development Programme for the advisory services and technical assistance that they have provided and continue to provide to requesting Member States, and requests that they collaborate closely with the senior official designated by the Secretary-General and inform him or her of the assistance provided and activities undertaken by them in the area of electoral assistance;

13. Requests the Secretary-General to notify the competent organ of the United Nations upon receipt of official requests from Member States for electoral verification and, upon the direction of that organ, to provide appropriate assistance;

14. Also requests the Secretary-General to establish, in accordance with United Nations financial regulations, a voluntary trust fund for cases where the requesting Member State is unable to finance, in whole or in part, the electoral verification mission and to propose guidelines for disbursements therefrom;

15. Affirms the effectiveness of and the need for coordination with intergovernmental organizations, including regional organizations having international electoral assistance experience;

16. Commends the efforts of non-governmental organizations that have provided electoral assistance at the request of Member States;

17. Invites those Member States which have not responded to the Secretary-General's request, pursuant to paragraph 10 of resolution 45/150, to submit views concerning suitable approaches that will permit the Organization to respond to the requests from Member States for electoral assistance, to do so in order to enable the Secretary-General to include those views in his next report to the General Assembly;

18. Requests the Secretary-General to report to the General Assembly at its forty-seventh session on the implementation of the present resolution, on the experience of the Organization in providing electoral assistance to requesting Member States and on recommendations for providing such assistance, on the detailed guidelines and terms of reference being developed for United Nations electoral involvement and on the nature and disposition of the requests from Member States, under the item entitled "Human rights questions".

75th plenary meeting
17 December 1991